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C. Fong

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Zhang et al.

Application No: 09/728,309

Filed: November 30, 2000

Title: **Human VNO Receptor (R1)**

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the Office action mailed March 5, 2002, Applicants make the following election.

REMARKS

Claims 1-42 are pending. The Action restricts the invention into nine groups as follows:

Group I: claims 1-8, 10-15 and 25-27, drawn to polynucleotides, vectors, host cells and methods of producing a polypeptide, classified in class 435, subclass 69.1.

Group II: claims 9, 22 and 23 drawn to antisense nucleic acids, classified in class 536, subclass 24.5.

Group III: claims 16-18, drawn to polypeptides, classified in class 530, subclass 350.

Group IV: claims 19-20, drawn to methods of identifying agonists and antagonists, classified in class 435, subclass 7.21.

Group V: claim 21, drawn to antibodies, classified in class 530, subclass 350.

Group VI: claim 24, drawn to transgenic animals, classified in class 800, subclass 3.

Group VII: claims 28-33, drawn to agonists and antagonists of a VNO receptor classification dependent on the chemical identity of the agonist or antagonist.



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Group VIII: claims 34-37, drawn to methods of identifying a polynucleotide, classified in class 435, subclass 6.

Group IX: claims 38-42, drawn to methods of gene therapy, classified in class 514, subclass 44.

In compliance with the requirement, Applicants elect to prosecute the invention of Group I, claims 1-8, 10-15 and 25-27. This election is made with traverse.

Applicants respectfully request redefinition of the Groups in the interest of administration efficiency and consistent with art recognized classification. In particular, Applicants request the following:

Combination of Groups I and II, drawn to polynucleotides, vectors, host cells and methods of producing a polypeptide, and antisense nucleic acids, classes 435 and 536 into one group (class 435). Applicants respectfully suggest that antisense nucleic acids can be searched together with polynucleotides. An antisense nucleic acid is a nucleic acid molecule (RNA or DNA) which is complementary to an RNA transcript, and thus a polynucleotide (classifiable in class 435). The suggested combination is believed to be more consistent with accepted use and Applicants respectfully request adaptation.

Applicants respectfully bring to the attention of the Examiner that the application became *de facto* abandoned for failure to timely file a Request To Rescind Previous Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(ii). Applicants have concurrently filed a Petition For Revival Of An Application Abandoned Unintentionally Under 37 C.F.R. 1.137(b) and a Request To Rescind Previous Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(ii); copies of both are attached hereto. No notice of abandonment has been received for this application.

Respectfully submitted,



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Date: March 29, 2002

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